GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3705
ANSWERED ON:12.12.2001
RELAXATIONS IN PATENTING OF MEDICINES
TARACHAND BHAGORA

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether WTO has any proposal to give some relaxations in patenting of medicines;

(b) if so, the details of those medicines alongwith the details of their manufacturers;

(c) whether the Union Government propose to make efforts for withdrawal of the patent norms for medicines in case of developing countries; and

(d) if so, the details of the action taken by the Government in this direction so far?

Answer

MINISTER OF HEALTH AND FAMILY WELFARE (DR. C.P. THAKUR)

(a) The WTO Ministerial Conference was held at Doha, Qatar from 9th to 14th November, 2001.The Conference adopted a declaration on the 14th November, 2001 on the TRIPS Agreement and Public Health. The Declaration inter-alia, recognizes the gravity of public health problems afflicting many developing countries and agrees that the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health. The Declaration affirms that the Agreement can and should be interpreted and implemented in a manner supportive of WTO Member`s right to protect public health and, in particular, to promote access to medicines for all. It reaffirms the rights of WTO Members to use, to the full, the provisions in the TRIPS Agreement, which provides flexibility for this purpose.

(b) to (d) Do not arise as the Declaration does not make recommendations with regard to specific drugs and medicines.